Department of Energy
Idaho Operations Office
850 Energy Drive
Idaho Falls, Idaho 83401-1563

July 5, 2001

Mr. Orville D. Green, Administrator
Waste Management & Remediation Division
State of Idaho
Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706

Ms. Ann Williamson, Unit Manager
Site Cleanup, Unit 4
Region 10, Environmental Protection Agency
1200 Sixth Avenue
Seattle, Washington 95101

SUBJECT: Dispute Resolution - (OM-01-002)

Dear Mr. Green and Ms Williamson:

This is in response to your letter of July 3, 2001, and in furtherance of our discussions of July 3. Enclosed please find a revised agenda for the discussions that we anticipate will occur July 10-11, 2001, and we believe is consistent with the requirements of the SEC. Also enclosed is a conceptual description of an alternative to the schedule and scope of the schedule provided by Department of Environmental Quality (DEQ) and the Environmental Protection Agency.

In general, the DOE proposal is to make a more limited entry into Pit 9 concentrating on a single waste form. This approach would allow quicker, cheaper entry and a demonstration of retrieval in a more timely manner.

Please let me know if you have any questions.

Sincerely,

Warren E. Bergholz
Deputy Manager

Enclosures

S. A. Robison, DOE-HQ, EM-41, 1127\CLOVERLEAF
M. W. Frei, DOE-HQ, EM-40, 5B-040\FORS

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CONCURRENCE:

RECORD NOTES:

1. This letter was written to transmit a revised agenda for the Stage II Value Engineering Review that is scheduled on July 10-11, 2001.

2. This correspondence was written by W. Bergholz (OM).

3. This letter/memo closes OATS number N/A

4. The attached correspondence has no relation to the Naval Nuclear Propulsion Program.

DOE Proposal to Retrieve Waste From Pit 9 Quickly and at Less Cost

Purpose of Retrieval: Implement the spirit of the OU 7-10 Interim Action ROD by retrieving waste from Pit 9.

Selection of Area for Retrieval: Retrieval will focus on an area south of the LMAES equipment where disposal records indicate Rocky Flats sludges were buried. Sludges represent a higher possible near-term risk to the aquifer since they are a source of volatile organic compounds known to be migrating and the mobilization of actinides from the sludges is more feasible than from graphite molds. The sludges represent lower risks to retrieval workers since the alpha contamination is less concentrated, the probability of a pressurized release is low and fire generated air-borne releases are lower than for graphite molds or Rocky Flats filters.

Elements of retrieval system design:
If the sludges are targeted, the retrieval system can be simplified because the operating risk range has been narrowed -

1. Double confinement using soft-walled structures – requires fire code waiver
2. Use air flow to reduce worker exposure levels (dilution)
3. Manned-entry with self-contained breathing systems
4. Backhoe, pit viper, T-Rex or other available retrieval equipment used in confinement structure
5. Store over-burden soils for replacement in hole
6. Maintain criticality control with drum/box monitoring
7. Characterize drums/boxes for safe storage before deconing the container out of the confinement structure
8. **Stop work and redesign if unplanned hazard is encountered**
9. After retrieval and storage of Pit 9 waste and contaminated soils, equipment and confinement structures are disposed of in the hole and the stored over-burden is used to cover the entire excavation.

Impacts on schedule and cost:

- Shorten fielding schedule since hard-wall structure is not being built
- Shorten retrieval schedule since the operation is simpler
- If an unplanned hazard is encountered, the project schedule and cost will expand
- Simpler design will reduce cost of implementation

Agenda for Pit 9 Schedule Dispute Meeting

Objective: Develop a Pit 9 Stage II schedule that is mutually acceptable to DEQ, EPA, and DOE

Tuesday, July 10

DOE proposal presented

- Retrieve Rocky Flats sludges
- Double confinement using soft-walled structures
- Use air flow to reduce worker exposure levels
- Manned-entry with self-contained breathing systems
- Backhoe, pit viper, T-rex or other available retrieval equipment used in confinement structure
- Store over-burden soils for replacement in hole
- Maintain criticality control with drum/box monitoring
- Characterize drum/boxes monitoring
- Stop work and redesign if planned hazard is encountered
- After retrieval and storage of Pit 9 waste and contaminated soils, equipment and confinement structures are disposed of in the hole and the stored over-burden is used to cover the entire excavation.

Discussion of assumptions and technical requirements and how these may impact the schedule.

Presentation on specific design changes that support the DOE proposal

Discussion of EPA and DEQ proposed changes.

Wrap up Tuesday's meeting with agreement on assumptions, technical requirements and design changes.

Wednesday, July 11

Development of retrieval working schedule. Definition of milestones.

Development of draft dispute resolution document and presentation to SEC.